



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/184,043
Applicant : Hans Hornauer
Filed : November 2, 1998
TC/A.U. : 1641
Examiner : Mary Ceperley

Docket No. : 2923-299
Customer No. : 6449
Confirmation No. : 3802

AMENDMENT UNDER 37 CFR 1.111

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

December 30, 2005

Sir:

The Office Action dated November 2, 2005, indicates that the diagrams attached to the April 16, 2003 response were not made of record and thus applicant's arguments could not be assessed. Applicants respectfully point out that these are the same diagrams that were referenced in the office action dated July 1, 2003 as being attached to the response but not sufficiently discussed. Another copy of these diagrams is attached to this response to clarify this issue. A discussion of these diagrams is included in the response filed on July 31, 2003.

The office action questions whether the analyte would be detected in claim 60. Applicants point out example 9 which discloses the manufacture of a conjugate comprising an analyte-specific reactant, an antibody which is conjugated both to biotin (the second partner of a binding pair) and a polyethylene glycol moiety. This conjugate was successfully tested. As shown in

the attached diagrams, the analyte specific reactant can be conjugated to more than one PEG molecule in addition to a member of a high affinity binding pair such as biotin.

The office action also indicated that example 10 does not show the use of a PEO/analyte-specific conjugate. Applicants respectfully point out that example 11 together with example 10 shows the preparation of a solid phase coated with PEG-antibody conjugates. Underivatized antibodies and PEG-derivatized antibodies were used as shown in table 6 in example 11.1. The PEG-derivatized biotinylated antibodies surprisingly gave much lower blank values than the underivatized antibody (94 or 75 signals for pegylated antibodies vs. 270 arbitrary units for underivatized antibodies). Examples 11.2 and 11.3 disclose the reduced unspecific binding of buffer components or human antibodies to pegylated antibodies vs. underivatized antibodies.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fee for such an extension together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

By



Monica Chin Kitts
Attorney for Applicants
Registration No. 36,105
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202)783-6040